

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re App. No.:	09/449,021)	<u>PATENT APPLICATION</u>
Filing Date:	November 24, 1999)	Art Unit: 2192
Inventors:	Helmut Emmelmann)	Examiner: Kendall, Chuck
Title:	<i>Interactive Server Side Components</i>)	

Customer No.: 28554

REQUEST FOR CONTINUED EXAMINATION
AND WITHDRAW OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination and Withdraw of Appeal.

In response to a non-final office action dated September 17, 2008, applicant electronically filed a response including claim amendments on December 9, 2008, and applicant now re-submits that response with very similar arguments and identical amendments, as a submission accompanying the request for RCE. Applicant had also filed a Notice of Appeal and Appeal Brief on December 9, 2008, in order to avoid the new PTO rules regarding ex parte appeals. However, since implementation of the new rules has been delayed, applicant prefers to have the current amendments entered and considered prior to instituting an appeal.

Respectfully submitted,

Date: December 30, 2008 By: /Richard A. Nebb/
Richard A. Nebb
Reg. No. 33,540

VIERRA MAGEN MARCUS & DENIRO LLP
575 Market Street, Suite 2500
San Francisco, California 94105
Telephone: 415.369.9660
Facsimile: 415.369.9665